

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-031021-001 DT

12/20/2012

HON. SHERRY K. STEPHENS

CLERK OF THE COURT
C. McCain
Deputy

STATE OF ARIZONA

JUAN M MARTINEZ

v.

JODI ANN ARIAS (001)

KIRK NURMI
JENNIFER L WILLMOTT

TRIAL MINUTE ENTRY
DAY 7

Courtroom SCT8C

State's Attorney:	Juan Martinez
Defendant's Attorney:	Kirk Nurmi and Jennifer Willmott
Defendant:	Present

Court Reporter, Traci Stutsman, is present.

A record of the proceeding is also made by audio and/or videotape.

11:04 a.m. Trial to Jury continues from 12/18/2012.

The jury is not present.

Juror # 139 appears telephonically and requests to be excused from jury duty for hardship.

Discussion is held as stated on the record.

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IT IS ORDERED excusing Juror #139 for hardship.

Discussion is held regarding jury instructions.

Juror # 248 appears telephonically and request to be excused from jury duty for hardship.

Discussion is held as stated on the record.

IT IS ORDERED excusing Juror #248 for hardship.

11:18 a.m. Counsel deliberate their preemptive strikes.

11:41 a.m. LET THE RECORD REFLECT all parties are present along with Court staff. Counsel for the Defendant inform the Court they wish to argue a Batson Challenge.

Argument is presented as stated on the record.

The Court finds the Defendant failed their burden and the State's strikes will be upheld.

Counsel for the States makes a motion to modify a portion of the jury instructions.

Argument is presented.

IT IS ORDERED denying the State's Motion.

The parties' resume their preemptive strikes.

12:23 p.m. LET THE RECORD REFLECT all parties are present along with Court staff. Counsel for the Defendant inform the Court they wish to argue the State's strikes as to juror #'s 154, 112, 60, 9, 23 and 79 all female jurors.

Argument is presented as stated on the record.

The Court finds the Defendant failed their burden and the State's strikes will be upheld.

12:29 p.m. The parties' resume their preemptive strikes.

12:44 p.m. LET THE RECORD REFLECT all parties are present along with Court staff. Counsel for the Defendant inform the Court they wish to further argue their Batson Challenge.

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Argument is presented as stated on the record.

The Court finds the Defendant failed their burden and the State's strikes will be upheld.

12:50 p.m. The parties' resume their preemptive strikes.

1:58 p.m. Court reconvenes with Defendant and respective counsel present.

Court Reporter, Lisa Vitoff, is present.

The jury is not present.

Counsel for the Defendant inform the Court they wish to further argue their Batson Challenge

Argument is presented as stated on the record.

The Court finds the Defendant failed their burden and the State's strikes will be upheld.

2:05 p.m. The jury panel is now present.

Eighteen (18) persons are selected and sworn to act as trial jurors in this cause: Juror #'s 12, 21, 29, 33, 49, 62, 88, 115, 144, 161, 164, 172, 174, 187, 199, 202, 226 and 233.

FILED: Jury list.

The Preliminary Instructions are read to the jury by the Court.

FILED: Preliminary Instructions

2:47 p.m. The jury is reminded of the admonition and stands in recess until 01/02/2013 at 10:00 a.m. in Court room 5C in the South Court Tower.

Discussion is held between Court and Counsel regarding trial issues.

2:58 p.m. Court stands in recess until 01/02/2013 at 10:00 a.m. in Court room 5C in the South Court Tower.

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This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>.
Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine
their mandatory participation in eFiling through AZTurboCourt.